

REMARKS

In response to the Office Action, dated September 9, 2004, Applicants have replaced the original title with a more descriptive title. Additionally, Applicants have amended paragraphs 0017, 0022, 0040, and 0042 to form grammatically correct sentences. Consequently, Applicants request that these objections be withdrawn.

Additionally, claims 4 and 5 were rejected as being indefinite under 35 U.S.C. §112. Applicants have amended the claims to more clearly point out the invention by explicitly setting forth "a display" in both claims. Accordingly, Applicants request that the Examiner withdraw these rejections.

Applicants respectfully request reconsideration of the prior art rejections set forth by the Examiner under 35 U.S.C. §§ 102 & 103. Applicants submit that the references of record whether considered alone or in combination fail to either teach or suggest Applicants' presently claimed invention.

Applicants have modified independent claim 1 to further require a secondary display separate from the remote control and the primary display for presenting EPG data. Applicants have modified all remaining independent claims to further require that the electronic program guide automatically displays customized settings based on a user's voice print. The present invention advantageously provides a system which automatically displays personalized guide settings based on voice prints and allows a user to quickly navigate the same. The present invention is far superior to the present systems which allow a user to control limited program guide functions via voice commands.

The references of record fail to teach or suggest these advances in the art. Kuhn et al, U.S. Patent No. 6,553,345, is directed to a remote control that allows a user to select programs for viewing or recording using multi-modal dialog. See generally Abstract. Kuhn et al. discloses a remote including a microphone and a speech recognizer. Col. 3, lines 49-52. The output of the speech recognizers is passed to a natural language parser which analyzes and extracts semantically important and meaningful topics which are subsequently used to search through a program guide or instruct the system to record a program. See Cols. 4-5, See also Col. 1, lines 40-50. However, Kuhn et al. simply does not teach or suggest that a system can automatically display customized program guide settings based on voice prints. The reference of record fails to teach or suggest this advance in the art.

Piotrowski, U.S. Patent No. 6,601,762, is directed to a point of sale voice authentication system. Col. 1, lines 33-35. Piotrowski discloses a system that determines whether a user is an authorized user either by determining if the spoken words by the user match pre-recorded voice reference data stored at the service provider or by comparing a spoke word to voice inputs stored in voice reference data. Col. 1, lines 39-67. Nonetheless, Piotrowski neither teaches nor suggests that voice prints may be used to invoke and display customized program guide settings.

In addition, Dinwoodie, U.S. Patent No. 6,415,269, is directed to an interactive remote bidding system. Dinwoodie discloses a system that allows participants located at remote locations to communicate with an auction site. Col. 2, lines 55-57. Each remote location includes an input device such as a cellular phone, pager, computer, etc. as well as a display device. Col. 2, lines 57-66. When a current bid is about to be accepted, the auctioneer may

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provide an audio or video warning in the display device. Col. 6, lines 18-23. Dinwoodie neither teaches nor suggests that a voice activated remote control may be used to navigate or control interactive features within a program guide. Additionally, Dinwoodie neither suggests nor teaches using audio or video prompts to indicate the availability of interactive functions.

Moreover, Applicants note that combining references in order to defeat patentability has not been allowed by the Federal Courts unless evidence of a teaching or suggestion of such a combination is present. The U.S. Court of Appeals for the Federal Circuit held in *Dembiczak* that "Combining prior art references without evidence of such a suggestion, teaching, or motivation simply takes the inventor's disclosure as a blueprint for piecing together the prior art to defeat patentability." *In re Dembiczak*, 50 USPQ2d, 1614, 1617 (1999). In this case, there is no suggestion or motivation for the combination of the cited references.

The references of record fail to teach or suggest the advances in the present invention. Accordingly, Applicant respectfully submits that all claims now stand in condition for allowance.

Date:

3/9/05

Respectfully submitted,


Robert J. Depke
HOLLAND & KNIGHT LLC
131 S. Dearborn, 30th Floor
Chicago, Illinois 60603
Tel: (312) 263-3600
Attorney for Applicant

(Reg. #37,607)